

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA )  
                                )  
                                )  
                                ) No. 1:05-CR-103  
v.                             )  
                                )  
                                ) Judge Curtis L. Collier  
                                )  
PHILIP ALLEN DRISCOLL, *et al.* )

**O R D E R**

In accordance with the accompanying memorandum, the Court **GRANTS IN PART** and **DENIES IN PART** Defendants' motion to dismiss (Court File No. 38) as follows:

(1) the Court **GRANTS** Defendants' motion to dismiss and hereby **DISMISSES** the charges alleged in Count Two of the Indictment (Court File No. 19) against Donna Driscoll and Annie Blankenship based on the statute of limitations; and

(2) the Court **DENIES** Defendants' motion to dismiss the charges alleged in Count Two of the Indictment (Court File No. 19) against Philip Driscoll.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**